

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:10-CV-371-RJC-DSC**

RANDY WADE RUMFELT,)	
)	
Plaintiff,)	
)	
v.)	
)	
QUEENS UNIVERSITY OF CHARLOTTE,)	
JOHNNIE RAVENELL, and)	
CAMPUS POLICE OFFICERS A, B & C,)	
)	
Defendants.)	
)

MEMORANDUM AND ORDER

THIS MATTER is before the Court on pro se Plaintiff's "Motion ... for Leave to Amend Original Complaint" (document #19) and "Motion to Strike [Affirmative Defenses]" (document #20), both filed December 29, 2010, and "Defendants' Response ..." (document #21) filed January 18, 2011. Plaintiff has not filed a Reply and the time for filing a reply brief has expired.

In their Response, Defendants state that they consent to certain portions of Plaintiff's Motion to Amend and consider the remaining proposed amendments to be "immaterial." Document #21 at 1-2. Concerning Plaintiff's Motion to Strike Defendant's affirmative defenses of insufficient service of process and statute of limitations, Defendants represent that in light of the proposed amendments to the Complaint, they are withdrawing those affirmative defenses. Id. at 2-3.

NOW, THEREFORE IT IS ORDERED:

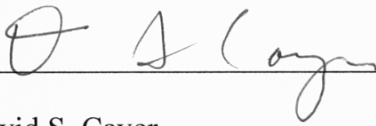
1. Plaintiff's "Motion ... for Leave to Amend Original Complaint" (document #19) is **GRANTED** and Plaintiff shall promptly file his Amended Complaint.
2. Plaintiff's "Motion to Strike [Affirmative Defenses]" (document #20) is **DENIED AS**

MOOT.

2. The Clerk is directed to send copies of this Order to the pro se Plaintiff; to defense counsel; and to the Honorable Robert J. Conrad, Jr.

SO ORDERED.

Signed: February 2, 2011

A handwritten signature in black ink, appearing to read "D S Cayer", is written over a horizontal line.

David S. Cayer
United States Magistrate Judge

